

Congress of the United States
Washington, DC 20515

July 27, 2018

The Honorable Francis Collins
Director, National Institutes of Health

The Honorable Sonny Perdue
Secretary, U.S. Department of Agriculture

The Honorable Scott Gottlieb
Commissioner, U.S. Food and Drug
Administration

Dr. Robert Redfield
Director, Centers for Disease Control and
Prevention

The Honorable General James Mattis
Secretary, U.S. Department of Defense

Dr. David Skorton
Secretary, Smithsonian Institution

The Honorable Robert Wilkie
Secretary, U.S. Department of Veterans
Affairs

The Honorable Ryan Zinke
Secretary, U.S. Department of the Interior

Dear Sirs:

According to federal reports, a recent Government Accountability Office audit and other documents, your agency currently uses dogs, cats and primates for in-house biomedical research.¹ We are writing today to obtain information about your agency's policies for the adoption and retirement of dogs, cats and primates no longer needed in research.

The National Institutes of Health's (NIH) Office of Laboratory Animal Welfare (OLAW)—which oversees animal research in government laboratories as well as extramural federally-funded research—states that it "is supportive of the concept of adoption" and encourages institutions to work with local shelters to place animals.² Similarly, the American College of Laboratory Animal Medicine published a position statement on the subject last year, writing,

*"The American College of Laboratory Animal Medicine (ACLAM) fully supports the concept of adoption of healthy, post-study, research animals into long-term, caring private homes or farms that can provide appropriate and humane living conditions for these animals as pets. The development of an institutionally-formulated and -administered adoption policy is strongly encouraged. Adoption of research animals is valued by the public, laboratory animal professionals, and the entire research community."*³

Despite this guidance from NIH and independent experts, we were concerned to discover through our offices' research a lack of formalized policies and procedures addressing this subject

¹ U.S. Government Accountability Office. (2018, May 31). Animal Use in Federal Research: Agencies Share Information, but Reporting and Data Quality Could Be Strengthened. Retrieved from <https://www.gao.gov/products/GAO-18-459>

² National Institutes of Health Office of Laboratory Animal Welfare. (2017, November 28). Frequently Asked Questions. Retrieved from <https://olaw.nih.gov/guidance/faqs#675>

³ ACLAM Position Statement on Adoption of Research Animals. (2017). *Journal of the American Association for Laboratory Animal Science : JAALAS*, 56(6), 807. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5710161/>

across federal agencies. We also are troubled by high-profile reports that healthy animals in government laboratories are being euthanized instead of adopted out.⁴

However, we have found several encouraging examples of agencies releasing research animals on a case-by-case basis:

Department of Veterans Affairs

The VA has, on an ad hoc basis, adopted out dogs no longer needed in research at its facilities in Cleveland and Los Angeles, and is in the process of developing formal policy on adoptions of former research animals following inquiries from Members of Congress.⁵

Department of Agriculture

Following concerns raised about the USDA's use and killing of healthy kittens in research, the Senate Appropriations Committee included language in its FY19 Agriculture bill encouraging USDA to find alternatives to cat use and develop a program for the adoption of the kittens.⁶

Food and Drug Administration

In January 2018, the FDA announced the cancellation of a controversial nicotine experiment on monkeys and that it is sending the surviving primates to "a new permanent sanctuary home, which will provide them with appropriate long-term care."⁷

National Institutes of Health

Since the 2000 enactment of the bipartisan Chimpanzee Health Improvement, Maintenance, and Protection Act (CHIMP) Act, and subsequent re-authorizations and amendments, Congress and the NIH have forbidden the euthanizing of healthy chimpanzees no longer needed in biomedical research and provided for their retirement to the federal sanctuary system. Congress has repeatedly restated its commitment to this program, including in the FY18 Labor-HHS Appropriations committee report.⁸

Centers for Disease Control and Prevention

In documents released through the Freedom of Information Act, the CDC indicates that adoption is among the options (alongside euthanasia and transfer to other research) considered for dogs at the completion of at least one active CDC research project.

⁴ Schladebeck, J. (2018, June 15). Thousands of kittens killed in USDA research could have been treated and adopted instead, experts say. *New York Daily News*. Retrieved from <http://www.nydailynews.com/news/national/ny-news-kittens-killed-usda-research-healthy-enough-adoption-20180615-story.html>

⁵ Bennett, J. (2017, September 28). Members Of Congress Push For VA To Let Veterans Adopt Dogs From Experiments. *Daily Caller*. Retrieved from <http://dailycaller.com/2017/09/28/members-of-congress-push-for-va-to-let-veterans-adopt-dogs-from-experiments/>

⁶ Evich, H. B. (2018, May 25). Organic charts new course in Trump era. *POLITICO*. Retrieved from <https://www.politico.com/newsletters/morning-agriculture/2018/05/25/organic-charts-new-course-in-trump-era-230475>

⁷ U.S. Food and Drug Administration (2018, January 26). Statement from FDA Commissioner Scott Gottlieb, M.D. on FDA's strengthened commitments to humane and judicious animal research and the termination of a nicotine study. Retrieved from <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm594009.htm>

⁸ U.S. House of Representatives. Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Bill, 2018. Retrieved from <https://appropriations.house.gov/uploadedfiles/23920.pdf>

State laws

In addition to these federal agency efforts, nine states—California, Connecticut, Delaware, Illinois, Maryland, Minnesota, Nevada, New York and Rhode Island—have passed laws encouraging or requiring the adoption of cats and dogs no longer needed in research.⁹

We are interested in obtaining current information on your agency's policies and procedures related to the adoption and retirement of cats, dogs and primates no longer needed in intramural research:

1. In FY16 and FY17, did your agency use any cats, dogs and primates in research? If so:
 - a. Specify which agency facility and division conducted the research
 - b. How many of each species were used, and in what USDA pain categories (by year)?
2. What guidelines, policies and regulations are in place to provide for the adoption of cats and dogs at the completion of research, and the retirement of primates to appropriate sanctuaries? Please provide copies of relevant documents.
3. In FY16 and FY17, did your agency adopt out or otherwise retire any cats, dogs and primates no longer needed in research? If so, how many and where were they placed?

Our constituents are increasingly concerned about the welfare of animals used in federally-funded research and strongly support research animal adoption and retirement. We agree that cats, dogs and primates that survive taxpayer-funded government research should be provided with an opportunity to find suitable non-laboratory homes at the completion of studies.

Thank you for your cooperation.

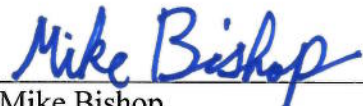
Sincerely,



Erik Paulsen
Member of Congress



Brendan F. Boyle
Member of Congress



Mike Bishop
Member of Congress



Jimmy Panetta
Member of Congress

⁹ Edelman, A. (2018, May 12). Lab dog to lap dog: Research animals get new lease on life. *NBCNews.com*. Retrieved from <https://www.nbcnews.com/politics/politics-news/lab-dog-lap-dog-research-animals-get-new-lease-life-n873391>



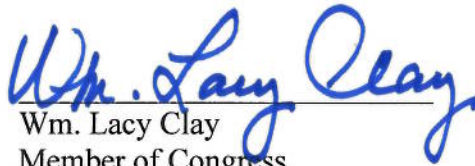
Vern Buchanan
Member of Congress



Dina Titus
Member of Congress



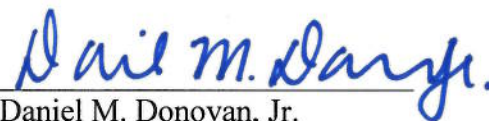
Fred Upton
Member of Congress



Wm. Lacy Clay
Member of Congress



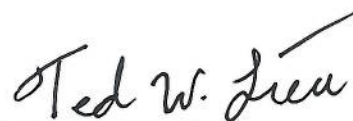
Dave Trott
Member of Congress




Daniel M. Donovan, Jr.
Member of Congress



Raul M. Grijalva
Member of Congress



Ted W. Lieu
Member of Congress



Marcy Kaptur
Member of Congress



Carol Shea-Porter
Member of Congress



Derek Kilmer
Member of Congress




Alex Mooney
Member of Congress

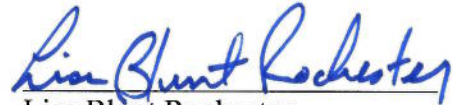



Ken Calvert
Member of Congress




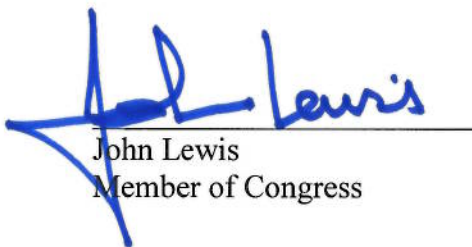
Earl Blumenauer
Member of Congress


Lucille Roybal-Allard
Member of Congress


Lisa Blunt Rochester
Member of Congress

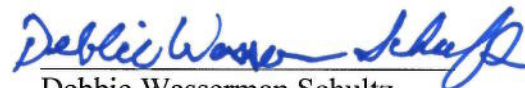

Tony Cardenas
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Matt Gaetz
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